HIGH COURT OF UTTARANCHAL AT NAINITAL.

Civil Misc. Application No. 228 of 2005
In
Writ Petition No. 1332 of (S/S) 2004

Saroj Kumar Rai,
Aged about 42 years,
son of Sri Shyam Deo Rai,
residentof Village and
Post Lahilpar,
District – Deoria, U.P. **…..Petitioner.**

Versus

1. Union of India, through Secretary/ Director General, Department / Ministry of Telecommunication, New Delhi.
2. Assistant Director General (SEA), Bharat Sanchar Nigam Limited, New Delhi.
3. Chief Accounts Officer, Uttaranchal Telecommunication Circle, Wind Loss Complex, Rajpur Road, Dehradun.
4. Director Postal (Accounts), Sector – D, Aliganj, Lucknow.
5. Assistant General Manager (Administration) Officer of the General Manager Telecom, District – Almora.

…..Respondents.

Sri B.D. Upadhyay, Sri L.P. Naithani, learned counsel for the petitioner.
Learned Standing counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri L.P. Naithani learned senior counsel assisted by Sri B.D. Upadhyay for the petitioner and learned Standing Counsel (Union of India) for the respondents.

Petitioner who was an employee of Post and Telegraph Departkent was taken on deputation to BSNL. Later on an examination was held by the BSNL for permanent absorption of all the employees who were taken on deputation from the Post and Telegraph

Department on the post of Junior Accounts Officer. Petitioner also appeared in the examination and was successful. BSNL prepared a list of successful candidates for undergoing training.

However, in the list prepared by the BSNL the name of the petitioner was left. Consequently, petitioner filed present writ petition in this Court. On 23.11.2004, this court stayed the operation of order dated 11.11.2004 passed by Department of Telecommunication. After passing the order this court on 23.11.2004, Department realized its mistake and prepared fresh list in which the name of petitioner was also included at serial no. 247. However, in the order dated 31.1.2005 of Assistant Director General (SEA) it is mentioned that in case of Saroj Kumar Rai JAO (deputationist) action shall be taken as per direction of the Hon'ble court.

The sole grievance of the petitioner was that though he had passed the examination his name was not included in the list for training. The respondents have corrected the mistake and included his name in the list.

In view of the aforesaid circumstances, this writ petition has become infructuous.

Respondents may sent the petitioner for training as per list prepared by the department and order of this court will not come in the way.

With this direction the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

February 15, 2005
SKS